

STANDARD FORM 83 SUPPORTING STATEMENT FOR ICR 1750.03

REPORTING AND RECORDKEEPING REQUIREMENTS FOR
NATIONAL VOC EMISSION STANDARDS
FOR ARCHITECTURAL COATINGS

Emission Standards Division
U.S. Environmental Protection Agency
Research Triangle Park, North Carolina 27711

November 1, 2001

PART A OF THE SUPPORTING STATEMENT

1. Identification of the Information Collection

(a) Title of the Information Collection

"Reporting and Recordkeeping Requirements for National VOC Emission Standards for Architectural Coatings." The Environmental Protection Agency (EPA) tracking number for this information collection request (ICR) is 1750.03. This is a renewal of a continuing ICR, OMB No. 2060-0393, expiration date January 31, 2002.

(b) Short Characterization/Abstract

Compliance with the architectural coatings rule is required by September 1999. The regulation requires that manufacturers and importers of architectural coatings adhere to volatile organic compound (VOC) content limits in the regulation. Information collection requirements for manufacturers and importers complying with the VOC content limits consist of product labeling; an initial notification report, which includes an explanation of any date code used; and subsequent explanations of any date codes revised after submittal of the initial report. The regulation does not contain any additional reporting or recordkeeping requirements unless a manufacturer or importer chooses to comply through one of the optional provisions in lieu of meeting the VOC content limits (i.e., the tonnage exemption, exceedance fee, or recycled coating credit provisions).

Under the terms of Clearance for the current ICR, 1750.02, assumptions are based on respondent and agency experience for the first three years the rule was in effect. Adjustments were made to reflect the lower than anticipated numbers of manufacturers choosing to use the more burdensome tonnage exemption, exceedance fee and recycled coating options.

The rule contains an optional tonnage exemption that allows each manufacturer and importer to exempt a specified total mass of

VOC in architectural coatings. The tonnage exemption would be used for products that do not comply with the VOC content limits and for which no exceedance fee is paid. Additional information collection requirements for the tonnage exemption include records of VOC calculations and volumes of coating manufactured or imported and an annual report.

The rule includes an exceedance fee alternative compliance option to provide additional compliance flexibility. This is an economic incentive approach whereby manufacturers and importers may choose to comply with the VOC requirements in the rule by paying a fee in lieu of meeting the VOC content limits. The per product exceedance fee is calculated based on both the volume of product manufactured or imported and the amount of VOC above the VOC content limit for that product. Additional information collection requirements for the exceedance fee option include records of fee calculations and inputs and an annual report.

Manufacturers and importers of recycled coatings have the option to take credit for the post-consumer coating content when determining the VOC content of the coating, which results in a less stringent control requirement. Additional information collection requirements for the recycled coating option include records of VOC calculations, additional labeling, and an annual report.

All records required under the rule must be retained for 3 years.

The rule requires that the labels or lids of all subject architectural coatings display the date of manufacture, the manufacturer's recommended thinning, and the VOC content of the coating. Many manufacturers already include this information on their coating labels as a part of normal and usual practice. For additional flexibility, the date of manufacture can be expressed as a code and can be located either on the label, lid, or bottom of the container. The rule also requires that the labels or lids of all

subject industrial maintenance coatings display a statement indicating that industrial maintenance coatings are primarily intended for industrial and professional use. In addition, each manufacturer and importer using the adjusted VOC content for a recycled coating is required to include a statement indicating the post-consumer coating content on the coating container label or lid.

2. Need for and Use of the Collection

(a) Need/Authority for the Collection

Section 183(e) of the Clean Air Act (Act) requires the EPA to regulate categories of consumer and commercial products that account for at least 80 percent of the VOC emissions, on a reactivity-adjusted basis, in areas that violate the National Ambient Air Quality Standards (NAAQS) for ozone. The EPA determined that the architectural coating category is one of the largest VOC emission sources among the consumer and commercial products categories, in many States represents a significant source of unregulated VOC emissions, and that VOC emissions from the use of architectural coatings contribute to ground-level ozone formation in ozone nonattainment areas. Therefore, the EPA published standards regulating VOC emissions from architectural coatings under section 183(e) of the Act on September 11, 1998 (40 CFR part 59, subpart D).

The reporting, labeling, and recordkeeping activities required under the architectural coatings rule enable the EPA to determine whether or not coatings manufactured or imported for sale or distribution in the U.S. are in compliance with the requirements in the rule. Reports and records are used to determine whether exceedance fees (if applicable) are paid for coatings for which the manufacturer or importer has chosen the exceedance fee option. For the tonnage exemption, the reports and records are used to ensure that the allowed exemption levels are not exceeded. Reports, records, and product labels associated with the recycled coatings

provision are used to ensure that the adjusted VOC content is calculated properly.

(b) Practical Utility/Users of the Data

The data collected under this ICR are essential to ensure compliance with the rule and to evaluate its effectiveness. Specifically, Agency enforcement personnel use the information collected to: (1) identify manufacturers and importers subject to the rule; (2) ensure that architectural coatings comply with VOC content standards, including accounting for recycled coating content; (3) verify that exceedance fees are calculated properly and paid in the correct amounts; (4) determine the volume of coating manufactured or imported for which fees are paid; (5) determine the total revenues paid in exceedance fees; and (6) verify that the VOC content of the coatings is calculated properly for the tonnage exemption and that the exemption levels are not exceeded. The reported information assists EPA in deciding which architectural coating manufacturers or importers should be inspected. The requirement for date of manufacture (or date code) to be placed on coating containers is useful to EPA for comparison to manufacturers' records and reports to determine compliance with VOC content limits, and with the exceedance fee and tonnage exemption requirements.

3. Nonduplication, Consultations, and Other Collection Criteria

(a) Nonduplication

The information collected pursuant to the regulation consists primarily of the VOC content information for architectural coating products, the calculation of exceedance fees due, the calculation of total VOC emissions from particular products claimed under the tonnage exemption, and the calculation of the post-consumer coating content of recycled coatings. This information is not collected by any other Federal agency.

(b) Consultations

Significant input and information was received from the affected industry, State and local governments, environmental groups, and coating users during development of the rule, including regulatory negotiation meetings. Table 1 shows a list of the participants in the regulatory negotiations. In addition, EPA held a public hearing in July 1996 and a public meeting in August 1996. The public meeting was specifically designed to obtain input from small businesses. The EPA considered numerous public comments in the development of this rule. The public comments are located in the docket for this rulemaking (Docket A-92-18). The Federal Register document required under 5 CFR 1320.8(d), soliciting comments on this collection of information was published on August 17, 2001 (66 FR 43253); no comments were received.

(c) Effects of Less Frequent Collection

This ICR includes a one-time initial notification report for all manufacturers and importers. For those reporting VOC content adjusted for post-consumer coating content, an annual report is required. For those using the tonnage exemption option, an annual report is required. For those using the exceedance fee option, an annual report is required. Less frequent reporting would not allow for effective or timely compliance determination. The EPA believes annual reporting is frequent enough to provide the information needed for compliance tracking without being too burdensome on the industry or the Agency.

Table 1. Consultations

Consumer Representatives

Bernie Appleman, Steel Structures Painting Council

Charles Field, Staff Vice President, National Association of
Home Builders

G. Lawrence Gettier, Traffic Control Project Engineer,
North Carolina Department of Transportation, Century Center
-Traffic Engineering Branch

John Peart, Research Chemist, Federal Highway Administration

Tim Race, Chemist, U.S. Army Corps of Engineers

Vincent R. Sandusky, Executive Vice-President, Painting and
Decorating Contractors of America

John Stone, Chemist, G.S.A. Paint and Chemicals Commodity
Center

R. Sam Williams, Forest Products Laboratory

Environmental Representatives

David Hawkins, Senior Attorney, Natural Resources Defense
Council

Joel Schwartz, Staff Scientist, Coalition for Clean Air

Ronald White, Deputy Director, National Programs, American
Lung Association

Industry Representatives

Earle K. Borman, Jr., Senior Vice President, L&F Products

Jack J. Bracco, Manager, Market Development, Architecture and
Industrial Maintenance Coatings, Miles, Inc.

J. Andrew Doyle, Executive Director, National Paint and
Coatings Association

Marcel Gaschke, Group Marketing Manager, Polymers Division,
CIBA-GEIGY Corporation

Madelyn Harding, Administrator, Product Compliance and
Registrations, The Sherwin-Williams Company
Robert J. Klepser, Laboratory Manager, Carboline Company
James F. Lawrence, Senior Vice President, Cargill Inc.

Carl Minchew, Assistant to the Technical Director, Benjamin
Moore & Co.

Kenneth J. Murray, Environmental Affairs Manager, Exxon
Chemical

Pete Nicholson, Market Manager, Industrial Finishes, Rohm and
Haas Co.

John Prinz, Vice President Research, Development, and
Quality, Sinclair Paint Company, Division of Insilco Corp.

Jim Sainsbury, Manager, Product Regulation, The Glidden
Company

Christine Stanley, Product Development Manager, Ameron
Protective Coatings

William Stewart, Director, Regulatory Affairs, The Valspar
Corporation

Small Business Representatives

Jay Haines, Attorney at Law, Haines & Riley

Ned B. Kisner, President, Triangle Coatings, Inc.

Robert Wendoll, Chairman, Environmental, Legislative, and
Regulatory Advocacy Program

Richard Williamson, Executive Vice President, Trinity
Coatings Company

Labor Representative

Mike Andrews, Representative of the Health and Safety
Department, International Brotherhood of Painters and
Allied Trades

State Representatives

S. William Becker, Executive Director, STAPPA/ALAPCO

Dan Belik, Enforcement Program Supervisor, Rule Development,
BAAQMD

Robert Irvine, Senior Environmental Engineer, SIP Revision
Unit, State of Michigan-Department of Natural Resources,
Air Quality Division

Peggy Taricco, Manager of Solvent Control Section, California
Air Resources Board

Bob Warland, Regional Air Pollution Control Engineer,
Region IV, New York State Department of Environmental
Control Regional Headquarters

Environmental Protection Agency

Bruce Jordan, Director, Emission Standard Division, Office of
Air Quality Planning and Standards, U. S. Environmental
Protection Agency

Federal Government Observer

Chris Kirtz, Director, Consensus and Dispute Resolution
Program, U.S. Environmental Protection Agency

(d) General Guidelines

This ICR adheres to the guidelines for Federal data requestors, as provided at 5 CFR 1320.5(d)(2).

(e) Confidentiality

(i) Confidentiality. All information submitted to the Agency for which a claim of confidentiality is made will be safeguarded according to the Agency policies set forth in Title 40, Chapter 1, Part 2, Subpart B--Confidentiality of Business Information (see 40 CFR 2; 41 FR 36902, September 1, 1976; amended by 43 FR 39999, September 28, 1978; 43 FR 42251, September 28, 1978; 44 FR 17674, March 23, 1979).

(ii) Sensitive questions. This section is not applicable because this ICR does not involve matters of a sensitive nature.

4. The Respondents and the Information Requested

(a) Respondents/SIC Codes

Respondents to this information collection are manufacturers and importers of architectural coatings. Manufacturers of architectural coatings fall within standard industrial classification (SIC) 2851, "Paints, Varnishes, Lacquers, Enamels, and Allied Products." Importers of architectural coatings fall within SIC 5198, "Wholesale Trade: Paints, Varnishes, and Supplies."

(b) Information Requested

(i) Data items, including recordkeeping requirements. Attachment 1, Source Data and Information Requirements, summarizes the labeling, recordkeeping and reporting requirements. All records required under the rule must be retained for 3 years.

(ii) Respondent activities. Table 2 presents the labeling, recordkeeping and reporting activities and burdens for the rule. The respondent activities required by the standards are listed in the first column of table 2.

Several States regulate architectural coatings and require certain labeling, recordkeeping and reporting activities. The

regulation includes similar requirements to the extent practical in order to minimize the cumulative burden to the industry.

TABLE 2. AVERAGE ANNUAL INDUSTRY BURDEN AND COST OF REPORTING AND RECORDKEEPING OVER THE THREE-YEAR PERIOD BEGINNING FEBRUARY 1, 2001, FOR MANUFACTURERS COMPLYING WITH THE STANDARDS FOR ARCHITECTURAL COATINGS

Burden Item		(A) Person Hours Per Occurrence (hrs/manufacturer)	(B) Number of Occurrences Per Respondent Per Year	(C) Person Hours Per Respondent Per Year (a) (C=AxB)	Dollars Per Hour ^a	(D) Respondents per Year	(E) Total Hours Per Year (E=CxD)	(F) Total Cost Per Year ^b
1.	Applications	Not applicable						
2.	Surveys and Studies	Not applicable						
3.	Reporting Requirements							
A.	Read Instructions	2	1	2	\$52	5 ^c	10	\$520
B.	Gathering Existing Information	Included in 3.C						
C.	Write Report							
	Initial Report	2	1	2	\$74	5 ^c	10	\$740
	Date Code Explanation	1	1	1	\$52	5 ^c	5	\$260
	Update Date Codes	2	1	2	\$52	50 ^d	100	\$5,200
	Recycled Coatings Report - Mass Balance	6	1	6	\$74	12.5 ^e	75	\$5,550
	Recycled Coatings Report - Formulation	4	1	4	\$74	12.5 ^e	50	\$3,700
	Exceedance Fee Annual Report	64	1	64	\$74	120 ^f	7,680	\$568,320
	Tonnage Exemption Annual Report	16	1	16	\$74	100 ^g	1,600	\$118,400
4.	Recordkeeping Requirements							
A.	Read Instructions	Included in 3.A						
B.	Plan Activities	8	1	8	\$74	5 ^c	40	\$2,960
C.	Implement Activities							
	Calculate VOC content for Each Product	336 ^h	1	336	\$52	5 ^c	1,680	\$87,360

TABLE 2. AVERAGE ANNUAL INDUSTRY BURDEN AND COST OF REPORTING AND RECORDKEEPING OVER THE THREE-YEAR PERIOD BEGINNING FEBRUARY 1, 2002 FOR MANUFACTURERS COMPLYING WITH THE STANDARDS FOR ARCHITECTURAL COATINGS (CONTINUED)

Burden Item	(A) Person Hours Per Occurrence (hrs/manufacturer)	(B) Number of Occurrences Per Respondent Per Year	(C) Person Hours Per Respondent Per Year (a) (C=AxB)	Dollars Per Hour ^a	(D) Respondents per Year	(E) Total Hours Per Year (E=CxD)	(F) Total Cost Per Year ^b
Calculate Adjusted VOC for Recycled Coatings	20	1	20	\$52	25 ⁱ	500	\$26,000
Exceedance Fee - Calculations	12.83	1	12.83	\$52	120 ^f	1,540	\$80,080
Tonnage Exemption Calculations	8	1	8	\$52	100 ^g	800	\$41,600
D. Record Data							
Recycling Volumes	8	12	96	\$52	25 ⁱ	2,400	\$124,800
Exceedance Fee	8	1	8	\$52	120 ^f	960	\$49,920
Tonnage Exemption	4	1	4	\$52	100 ^g	400	\$20,800
E. Time to Train Personnel	Not applicable						
5. Labeling	67 ^j	1	67	\$52	83 ^k	5,561	\$289,172
Total						23,411	\$1,425,382

^a All tasks are assumed to be performed by a technical person (\$52/hr) unless otherwise noted. Activities is assumed to be performed by a manager (\$74/hr).

^b Costs were calculated by multiplying the total number of hours by the hourly wages.

^c Total number of manufacturers is estimated to be 500; 1 percent or 5 per year new respondents per year assumed.

^d Assumed that 10 percent of manufacturers update some date codes each year. (500 manufacturers)(0.10) = manufacturers.

TABLE 2. AVERAGE ANNUAL INDUSTRY BURDEN AND COST OF REPORTING AND RECORDKEEPING
OVER THE THREE-YEAR PERIOD BEGINNING FEBRUARY 1, 2002 FOR MANUFACTURERS COMPLYING
WITH THE STANDARDS FOR ARCHITECTURAL COATINGS (CONTINUED)

- e Assumed that 5 percent of manufacturers recycle coatings. $(500 \text{ manufacturers})(0.05) = 25 \text{ manufacturers}$.
25 manufacturers, assumed half of the recycle coating manufacturers would demonstrate compliance using material balance and the other half using formulations.
- f Economic model estimates a total of 958 fee paying products, at an average of 8 products per manufacturer.
 $958 \text{ products} \div 8 \text{ products per manufacturer} = 120 \text{ manufacturers}$.
- g Assumed that 100 manufacturers will use tonnage exemption option.
- h Based on a time estimate of 8 hours per coating product. $(8 \text{ hours/product})(42 \text{ products/manufacturer}) = 336 \text{ hours/manufacturer}$.
- i Assumed that 5 percent of manufacturers recycle coatings. $(500 \text{ manufacturers})(0.05) = 25 \text{ manufacturers}$.
- j Based on an industry estimate of 320 hours needed to modify labels for a company with 200 paint products.
 $1.6 \text{ hours per product}$.
 $(1.6 \text{ hours/product})(42 \text{ products/manufacturer}) = 67 \text{ hours/manufacturer}$.
- k Assumed that half of the manufacturers would have to modify their labels. $(500 \text{ manufacturers})(0.5)/3 \text{ years} = 83 \text{ manufacturers per year}$.

5. The Information Collected--Agency Activities, Collection Methodology, and Information Management

(a) Agency Activities

A list of activities required of the EPA is provided in table 3.

(b) Collection Methodology and Management

The information collected under this rule will be maintained in a computerized database. As noted in section 2(b) of this ICR, the information collected is a necessary part of compliance determination. The rule specifically allows for the maintenance of records in either written or electronic form.

(c) Small Entity Flexibility

Although the rule does not contain any specific small entity provisions, the rule contains two provisions that may reduce the burden of this rule on small entities. These provisions are the exceedance fee provision and the tonnage exemption.

(d) Collection Schedule

The rule requires all manufacturers and importers of subject coatings to submit an initial notification report no later than September 13, 1999 (March 13, 2000 for products registered under FIFRA), or within 180 days after becoming subject to the rule, whichever is later. All manufacturers and importers of subject coatings must submit an explanation of any new date code no later than 30 days after the new date code is first used.

Manufacturers and importers choosing the recycled coating provision must submit an annual report by March 1 following the year in which the recycled coating provision is used. Manufacturers and importers choosing the exceedance fee provision must submit an annual report by March 1 following the calendar year in which the coatings for which the fee provision is used are manufactured or imported. Manufacturers

and importers choosing the tonnage exemption must submit an annual report by March 1 of the year following the calendar year in which the exemption was claimed.

TABLE 3. AGENCY BURDEN FOR THE ARCHITECTURAL COATINGS RULE

	A	B	C	D	E	F
Reports	EPA Hours Per Occurrence	Occurrences Per Year	Person Hours Per Year (Technical) C = A x B	Person Hours Per Year (Management) D = C x 0.05	Person Hours Per Year (Clerical) E = C x 0.1	Total Cost Per Year ^a
Initial Report ^b	1.0	5	5	0.3	0.5	\$299
Annual Report: Manufacture of Recycled Coatings - Mass Balance ^c	1.0	12.5	12.5	0.6	1.3	\$739
Annual Report: Manufacture of Recycled Coatings - Formulation ^c	0.5	12.5	6.3	0.3	0.6	\$370
Date Code Reports ^b	0.5	5	2.5	0.1	0.3	\$148
Date Code Updates ^d	0.5	50	25	1.3	2.5	\$1,481
Annual Report: Exceedance Fee ^e	4.0	120	480	24	48	\$28,368
Annual Report: Tonnage Exemption ^f	2.0	100	200	10	20	\$11,820
Maintenance of implementation database	60	1	60	3	6	\$3,546
Totals		306	791.3	39.6	179.2	\$46,771

^a Total cost per year = (column C)(\$52/hr) + (column D)(\$74/hr) + (column E)(\$34/hr).

^b Total number of manufacturers is estimated to be 500; 1 percent or 5 new respondents per year are assumed.

^c Assumed 25 recycled coating manufacturers; assumed half use mass balance option and half use formulation option.

TABLE 3. AGENCY BURDEN FOR THE ARCHITECTURAL COATINGS RULE
(CONTINUED)

- d Assumed 10 percent of all manufacturers update some date codes each year. $(500 \text{ manufacturers})(0.10) = 50 \text{ manufacturers}$.
- e Assumed 120 manufacturers will pay fees on some coatings (see footnote f in table 2).
- f Assumed 100 manufacturers will use tonnage exemption option.

6. Estimating the Burden and Cost of the Collection

(a) Estimating Respondent Burden

The average annual burden estimates for reporting, recordkeeping, and labeling requirements are presented in table 2 for all manufacturers. These numbers were derived from estimates based on the EPA's experience with other standards and from information obtained from the industry representatives listed in table 1. Because this is a renewal of an existing ICR, these estimates represent the average annual burden that will be incurred by the affected industry in the 3-year period beginning February 1, 2002. The hours shown in column A of table 2 are the burden estimate per manufacturer.

(b) Estimating Respondent Cost

Table 2 also presents the estimated costs for the required recordkeeping, reporting, and labeling activities. Labor rates, on a per hour basis, are based on those posted on the Bureau of Labor Statistics (BLS) web site (<http://www.bls.gov/news.release>) in May 2001 on Table 2 of the BLS Employment Cost Trends. The total compensation rates were increased by 100 percent for overhead, resulting in the following labor rates: \$34 for clerical personnel, \$52 for technical personnel, and \$74 for management personnel. There are no capital or operating and maintenance costs required by this collection.

(c) Estimating Agency Burden and Cost

Examination of records to be maintained by the respondents will occur incidentally as a part of the periodic inspection of sources that is part of the EPA's overall compliance and enforcement program and is not attributable to this ICR. The only costs that the Federal government will

incur are costs associated with the review of reported information, as presented in table 3. Labor rates and associated costs are based on the same estimated industry hourly rates as follows: management at \$74, technical at \$52, and clerical at \$34.

(d) Estimating the Respondent Universe and Total Burden and Costs

The respondent universe consists of 500 architectural coating manufacturers. Of these, 75 are considered large manufacturers and 425 are considered small manufacturers. Due to importers' small market presence (less than 1 percent of total coating sales volume in 1990) and the lack of detailed product data on imported coatings, importers have not been included in this burden estimate.

The annual respondent burden will vary depending on the actual compliance choices that are made by the manufacturer or importer. Specifically, the burden will vary depending on whether the recycled coating, exceedance fee, or tonnage exemption provisions are chosen.

In order to estimate the industry burden, assumptions were made about the number of manufacturers that would choose each of the optional provisions (see appropriate footnotes in table 2). Other assumptions were that the number of new respondents submitting the one-time Initial Notification Report and date code explanations will be 1 percent of the total respondent universe of 500, or about 5 per year.

(e) Bottom Line Burden Hours and Costs Tables

(i) Respondent tally. The bottom line industry burden hours and costs, presented in table 2, are calculated by summing the total hours per year column (column E) and by summing the total cost per year column (column F). The annual

burden and cost to the industry averaged over the 3-year period beginning February 1, 2002, is 23,411 hours and \$1,425,382.

The average annual base reporting, recordkeeping, and labeling burden per manufacturer for this information collection request is 47 hours ($23,411 \text{ hours} / 500 \text{ manufacturers} = 47 \text{ hours per manufacturer}$). The actual burden for each manufacturer will vary depending on the compliance choices that they make. Manufacturers that meet all of the mandatory requirements and do not select any of the optional requirements will have an annual reporting, recordkeeping, and labeling burden of approximately 15 hours ($7,406 \text{ hours} / 500 \text{ manufacturers} = 15 \text{ hours per manufacturer}$).

Manufacturers that choose the recycled coating provision will have an annual reporting, recordkeeping, and labeling burden of approximately 136 hours [$3,025 \text{ hours} / 25 \text{ manufacturers} = 121 \text{ hours per manufacturer}$; $15 \text{ hours} + 121 \text{ hours} = 136 \text{ hours per manufacturer}$]. Manufacturers that choose the exceedance fee provision will have an annual reporting, recordkeeping, and labeling burden of approximately 100 hours [$10,180 \text{ hours} / 120 \text{ manufacturers} = 85 \text{ hours per manufacturer}$; $85 \text{ hours} + 15 \text{ hours} = 100 \text{ hours per manufacturer}$]. Manufacturers that choose the tonnage exemption will have an annual reporting, recordkeeping, and labeling burden of approximately 43 hours [$2,800 \text{ hours} / 100 \text{ manufacturers} = 28 \text{ hours per manufacturer}$; $28 \text{ hours} + 15 \text{ hours} = 43 \text{ hours per manufacturer}$].

The total per manufacturer reporting, recordkeeping, and labeling burden is the lowest for manufacturers that meet the VOC content limits, and would be higher for those that choose

the optional tonnage exemption, exceedance fee provision, or recycled coating provision.

(ii) Agency tally. The bottom line Agency burden and cost, presented in table 3 is calculated in the same manner as the industry burden and cost. The estimated annual burden and cost averaged over the 3-year period beginning February 1, 2002, are 1,010 hours and \$46,771.

(iii) The complex collection. This ICR is a simple collection; therefore this section does not apply.

(iv) Variations in the annual bottom line. No significant variations in the annual respondent burden or cost are expected over the 3-year period beginning on February 1, 2002.

(f) Reasons for Change in Burden

This renewal of a continuing ICR includes the following one-time burden and cost items: reading instructions, the initial report, the explanation of date codes, planning activities, and calculating VOC content. To develop the estimates of annual average burden, these one-time activities were averaged over 3 years, beginning after the rule has been effective for more than 2 years. Therefore, the EPA assumes that the vast majority of one-time initial reports already will have been submitted by February 2002 and only new notifications will be submitted during the period covered by this ICR renewal. The assumptions used as a basis for the burden calculations more fully explain this concept (see footnotes in table 2).

(g) Burden Statement

The total reporting and recordkeeping burden for this information collection averaged over the 3-year period beginning on February 1, 2002, is estimated to be 23,411 hours

per year. The total annualized recordkeeping and reporting costs for this rule are estimated to be \$1,425,382. This is the estimated burden for the estimated 500 respondents (i.e., architectural coating manufacturers).

The average estimated burden, per respondent, is 47 hours per year. The total reporting and recordkeeping burden for an individual respondent will vary depending on the compliance option(s) chosen. Respondents meeting the VOC content limits will have the lowest reporting and recordkeeping burden. Manufacturers and importers that choose the option of calculating an adjusted VOC content for recycled coatings, paying an exceedance fee, or exercising the tonnage exemption will have a higher reporting and recordkeeping burden. The final rule requires an initial one-time notification from each respondent. Respondents whose coating products have a VOC content that is less than or equal to the VOC content limits have no periodic requirements. Respondents using the recycled coatings provision must keep records and submit annual reports. Respondents taking advantage of the tonnage exemption must file an annual report and must maintain records for the coatings being claimed under the exemption. Respondents paying an exceedance fee must keep records for each coating product on which fees are paid and submit an annual report.

Burden in this context means the total time, effort, or financial resources expended by persons to generate, maintain, retain, disclose, or provide information to or for a Federal agency. This includes the time needed to: (1) review instructions; (2) develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, and disclosing and

providing information; (3) adjust the existing ways to comply with any previously applicable instructions and requirements; (4) train personnel to be able to respond to a collection of information; (5) search data sources; (6) complete and review the collection of information; and (7) transmit or otherwise disclose the information.

Attachment 1

Source Data and Information Requirements

Requirement	Regulation Reference
LABELING	
• Date of Manufacture	59.405(a)(1)
• Recommendation for thinning	59.405(a)(2)
• VOC content	59.405(a)(3)
In addition, for each industrial maintenance coating:	
<ul style="list-style-type: none"> One of the following statements of use <ul style="list-style-type: none"> For industrial use only. For professional use only. Not for residential use. or Not intended for residential use. or, This coating is intended for use under the following condition(s): (Include each condition that applies to the coating.) <ul style="list-style-type: none"> Immersion in water, wastewater, or chemical solutions (aqueous and nonaqueous solutions), or chronic exposure of interior surfaces to moisture condensation; Acute or chronic exposure to corrosive, caustic, or acidic agents, or to chemicals, chemical fumes, or chemical mixtures or solutions; Repeated exposure to temperatures above 120 °C (250 °F); Repeated (frequent) heavy abrasion, including mechanical wear and repeated (frequent) scrubbing with industrial solvents, cleansers, or scouring agents; or, 	59.405(b)

Attachment 1 (continued)

Requirement	Regulation Reference
Exterior exposure of metal structures and structural components	
In addition, for each coating using the optional recycled coating credit:	
<ul style="list-style-type: none"> The statement "Contains not less than X percent by volume post-consumer coating." Where "X" is replaced with the percent, by volume, of post-consumer coating 	59.405(c)
RECORDKEEPING	
For each coating for which the optional recycled coating credit is applied:	
<ul style="list-style-type: none"> Minimum volume percent post-consumer coating content 	59.407(a)(1)
<ul style="list-style-type: none"> Volume of post-consumer coating received for recycling 	59.407(a)(2)
<ul style="list-style-type: none"> Volume of post-consumer coating received that was unusable 	59.407(a)(3)
<ul style="list-style-type: none"> Volume of virgin materials 	59.407(a)(4)
<ul style="list-style-type: none"> Volume of final recycled coating 	59.407(a)(5)
<ul style="list-style-type: none"> Calculation of adjusted VOC content 	59.407(a)(6)
For each manufacturer and importer using the optional exceedance fee provision:	
<ul style="list-style-type: none"> A list of the coatings and the associated coating categories in table 1 of the regulation for which the exceedance fee is used 	59.407(b)(1)
<ul style="list-style-type: none"> Calculation of the annual fee for each coating and the total annual fee for all coatings 	59.407(b)(2)
<ul style="list-style-type: none"> The VOC content of each coating 	59.407(b)(3)
<ul style="list-style-type: none"> The excess VOC content of each coating 	59.407(b)(4)
<ul style="list-style-type: none"> The total volume manufactured or imported per period for each coating 	59.407(b)(5)
<ul style="list-style-type: none"> The annual fee for each coating 	59.407(b)(6)

Attachment 1 (continued)

Requirement	Regulation Reference
<ul style="list-style-type: none"> The total annual fee for all coatings 	59.407(b)(7)
For each manufacturer or importer using the optional tonnage exemption:	
<ul style="list-style-type: none"> A list of all coatings and the associated coating categories in table 1 of the regulation for which the tonnage exemption is claimed 	59.407(c)(1)
<ul style="list-style-type: none"> The VOC content of each coating for which the exemption is claimed 	59.407(c)(2)
<ul style="list-style-type: none"> The annual sales for each coating for which the exemption is claimed 	59.407(c)(3)
<ul style="list-style-type: none"> The megagrams of VOC contained in each coating for which the exemption is claimed, and for all coatings combined for which the exemption is claimed, for the time period the exemption is claimed 	59.407(c)(4)
REPORTS	
Initial report for all manufacturers and importers:	
<ul style="list-style-type: none"> Name and mailing address of the manufacturer or importer 	59.408(b)(1)
<ul style="list-style-type: none"> The street address of each one of the manufacturer's or importer's facilities in the U.S. producing, packaging, or repackaging any architectural coating subject to this subpart. 	59.408(b)(2)
<ul style="list-style-type: none"> List of categories of coatings in table 1 of the regulation for which the manufacturer's or importer's coatings meet the definition 	59.408(b)(3)
<ul style="list-style-type: none"> Explanation of date code, if applicable 	59.408(b)(4)
Annual report for coatings for which the optional recycled coating credit is applied:	
<ul style="list-style-type: none"> Minimum post-consumer content of coatings 	59.408(c)(1)
<ul style="list-style-type: none"> Volume of post-consumer coating received for recycling 	59.408(c)(2)

Attachment 1 (continued)

Requirement	Regulation Reference
• Volume of post-consumer coating received that was unusable	59.408(c)(3)
• Volume of virgin materials used	59.408(c)(4)
• Volume of recycled coating manufactured or imported	59.408(c)(5)
Annual report for manufacturers and importers using the optional exceedance fee:	
• Name and address	59.408(d)(1)
• A list of all coatings and the associated coating categories for which the exceedance fee is being used	59.408(d)(2)
• VOC content of each coating that exceeds the applicable VOC content limit in table 1 of the regulation	59.408(d)(3)
• Excess VOC content of each coating product for which a fee is paid	59.408(d)(4)
• Total annual volume of all coatings for which a fee is paid	59.408(d)(5)
• The annual fee for each coating	59.408(d)(6)
• The total annual fee for all coatings	59.408(d)(7)
Annual report for manufacturers and importers using the optional tonnage exemption:	
• A list of all coatings and the associated coating categories in table 1 of the regulation for which the tonnage exemption was claimed	59.408(e)(1)
• The VOC content of each coating for which the exemption was claimed	59.408(e)(2)
• The actual sales for each coating for which the exemption was claimed	59.408(e)(3)
• The total megagrams of VOC contained in all the coatings for which the exemption was claimed	59.408(e)(4)

Attachment 1 (continued)